

MONDAY, MARCH 6, 1978

SIXTY-NINTH LEGISLATIVE DAY

The House met at 4:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Harold Sterling, Memphis, Tennessee.

Representative Sterling led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 95

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 95.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 487, 663, 726, 1533, 1534, 1716, 1717, 1936, 2059, 2306, 2451, 2473 and 2474, and House Joint Resolution Nos. 325, 344, 346, 373, 380, 381, 384, 387, 388, 390, 399 and 403, with his approval.

EDDIE SISK,
Counsel to the Governor.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1775, 1777, 1873, 1918, 1924, 1966, 2007, 2010, 2029, 2030, 2031, 2048, 2151, 2313, 2328, 2463, 2464, 2471, 2475, 2484 and 2488; and House Joint Resolutions Nos. 287, 307, 312,

329, 336, 347, 350, 351, 355, 360, 361, 362, 363, 364, 374, 375, 377, 382, 385, 391, 393, 394, 395, 396 and 402; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1695 — To authorize bond sales, Funding Board, construction of waterworks;

1948 — To amend Section 2-611, Code;

1966 — To amend Sections 11-1706 and 11-1712, Code;

2030 — To provide collection, certain taxes, Chancery Court;

2087 — To change boundary line, DeKalb and Cannon counties;

2093 — To amend Sections 4-509 and 4-519, Code;

2268 — To amend Sections 11-1706 and 11-1712, Code;

2457 — To regulate sanitary landfills, Grainger County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.

197 — Relative to funding soil conservation and watershed project, Gibson County;

205 — Relative to appreciation, William M. Pritchett;

206 — Relative to federal funds, Social Security Act;

207 — Relative to honoring Elvin Ellis Overton;

208 — Relative to commending Karns Community Club;

209 — Relative to honoring Errette Shemmell Bevins, Jr.;

210 — Relative to commending WPLN radio station;

211 — Relative to commending WPLN radio station and personnel;

212 — Relative to congratulating John H. Cary; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 1591, 1655, 1657, 1691, 1694, 1824, 1975 and 2217; and House Joint Resolutions Nos. 392, 397, 398, 401, 409, 412 and 435; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 1591, 1655, 1657, 1691, 1694, 1824, 1975 and 2217; and House Joint Resolutions Nos. 392, 397, 398, 401, 409, 412 and 435.

CALENDAR

Mr. Elkins moved that House Bill No. 1702 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

Mr. Elkins moved that House Bill No. 1830 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

House Bill No. 1779 — To fix salary, secretary for circuit judges.

Mr. Work moved that House Bill No. 1779 be passed on third and final reading.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1779 by deleting the amendatory language of Section 1 and by substituting instead the following:

The Circuit Judges of the Twenty-first Judicial Circuit shall each have the power to employ a suitable secretary or stenographer to assist such judges in the performance of their duties and who shall serve at the pleasure of each Circuit Judge and who, upon appointment, shall be compensated according to law and who shall be eligible to participate in the Tennessee Consolidated Retirement System.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1779, as amended, passed its third and final reading by the following vote:

Ayes.....	84
Present and not voting	4

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd,

Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Smith, Spence, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 84.

Representatives present and not voting were: Scruggs, Stafford, Turner and Williams — 4.

A motion to reconsider was tabled.

House Bill No. 1689 — To promote community involvement, public schools.

Mr. Phillips moved that House Bill No. 1689 be passed on third and final reading.

Mr. Lashlee moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1689 by deleting everything after the caption and substituting instead the following:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. In order to provide for increased involvement of citizens in their local schools through community schools advisory councils, to assure maximum use of public school facilities by the citizens of each community in this state, and to encourage community educational programs on a county wide or multicounty wide basis to provide the best possible programs for the least costs without duplication of efforts, the state board of education may adopt appropriate rules and regulations for encouraging increased community involvement in public schools and the usage of the public school facilities as community educational centers. Such rules and regulations may consider and include but not necessarily be limited to provisions for:

- (1) The use of public school facilities by governmental, charitable or civic organizations for activities within the community;
- (2) The utilization of the talents and abilities of volunteers within the community for the enhancement of public school programs including tutoring, counseling and cultural programs and projects; and
- (3) Increased communications between the staff and faculty of the public schools, other community institutions and agencies, and citizens in the community.

The state board of education may further establish guidelines governing the submission and approval of community educational programs prepared by local boards for encouraging increased community involvement in the public schools and use of public school facilities.

SECTION 2. Every local board of education may:

(1) Develop programs and plans for increased community involvement and learning opportunities in the public schools based upon rules and guidelines adopted by the state board of education;

(2) Develop programs and plans for increased community use of public school facilities based upon rules and guidelines adopted by the state board of education;

(3) Establish rules governing the implementation of such programs and plans in its public schools and submit these rules along with adopted programs and plans to the state board of education for approval.

SECTION 3. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1689, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

House Bill No. 1540 — To amend Section 54-2514, Code.

On motion, House Bill No. 1540 was made to conform with Senate Bill No. 1520.

On motion, Senate Bill No. 1520, on same subject, was substituted for House Bill No. 1540.

Mr. Richards moved that Senate Bill No. 1520 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	89
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford,

Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 89.

A motion to reconsider was tabled.

House Bill No. 2343 — To amend Title 67, Chapter 6, Code.

On motion, House Bill No. 2343 was made to conform with Senate Bill No. 2067.

On motion, Senate Bill No. 2067, on same subject, was substituted for House Bill No. 2343.

Mr. Burnett (Sumner) moved that Senate Bill No. 2067 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	84
Noes.....	3
Present and not voting	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Burks, Burleson, Burnett (Sumner), Butler, Byrd, Cawood, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 84.

Representatives voting no were: Bragg, Burnett (Fentress) and Chiles — 3.

Representative present and not voting was: Brewer — 1.

A motion to reconsider was tabled.

House Bill No. 2187 — To amend Workmen's Compensation Law.

Mr. Kernell moved that House Bill No. 2187 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	66
Noes.....	17
Present and not voting	9

Representatives voting aye were: Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Gill, Good, Hillis, Hood, Hurley, Johnson, Kernell,

Lashlee, Ledford, Love, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pickering, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Spence, Starnes, Steinhauer, Tanner, Turner, Watson, Withers, Work, Yelton, Young and Mr. Speaker McWherter — 66.

Representatives voting no were: Bishop, Burleson, Chiles, Fisher, Fuqua, Hall, Jensen, Longley, Naifeh, Richards, Scruggs, Smith, Stafford, Stallings, Sterling, Webb and Wood — 17.

Representatives present and not voting were: Ashford, Atchley, Bewley, Dixon, Henry, Lanier, McAfee, Wallace and Williams — 9.

A motion to reconsider was tabled.

House Bill No. 1846 — To make provisions, limitation of actions.

On motion, House Bill No. 1846 was made to conform with Senate Bill No. 1699.

On motion, Senate Bill No. 1699, on same subject, was substituted for House Bill No. 1846.

Mr. Bussart moved that Senate Bill No. 1699 be passed on third and final reading.

Mr. Clark moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1699 by deleting the last sentence of Sections 1 and 2 and substituting in each Section in lieu thereof the following:

If a nonsuit is taken as to the original action or suit, any counterclaim or third party complaint arising from such action or suit is also terminated. Provided, however, if the action or suit is reinstituted according to the provisions of Tennessee Code Annotated, Section 28-106, the defendant shall have the right to file a counterclaim or third party complaint within the time allowed for the filing of a responsive pleading.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1699, as amended, passed its third and final reading by the following vote:

Ayes.....	89
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton),

Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton and Mr. Speaker McWherter — 89.

A motion to reconsider was tabled.

House Bill No. 1996 — To amend Section 7-134, Code.

Mr. Bussart moved that House Bill No. 1996 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	89
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton and Mr. Speaker McWherter — 89.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 2456 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

House Bill No. 1697 — To make certain provisions, mental examinations, driving while intoxicated.

Mr. Smith moved that House Bill No. 1697 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	91
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

A motion to reconsider was tabled.

House Bill No. 1849 — To make provisions, appeal from certain aging persons.

On motion, House Bill No. 1849 was made to conform with Senate Bill No. 1799.

On motion, Senate Bill No. 1799, on same subject, was substituted for House Bill No. 1849.

Mr. Bussart moved that Senate Bill No. 1799 be passed on third and final reading.

Mr. Murphy (Shelby) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1799 by deleting from the third and fourth lines of the amendatory language of Section 1 of the bill the words "in a hearing to be held at the request of either party" and substituting instead the words "in a hearing which shall be held within ten (10) days of a request for hearing by either party".

On motion, the amendment was adopted.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1799 by deleting the last word in sentence seven and substituting in lieu thereof the word "or".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1799, as amended, passed its third and final reading by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

A motion to reconsider was tabled.

House Joint Resolution No. 311 — Relative to studying to coordination of agencies involving alcoholic rehabilitation.

Mr. Smith moved that House Joint Resolution No. 311 be adopted.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 311 by deleting the words and figures "January 1, 1979" in the fourth resolving clause and by substituting instead the words and figures "November 1, 1978" so that the amended clause reads:

BE IT FURTHER RESOLVED, that the joint committee shall report its findings, conclusions, and recommendations to the General Assembly by November 1, 1978, at which time the committee shall cease to exist.

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 311, as amended, was adopted by the following vote:

Ayes.....	94
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 94.

A motion to reconsider was tabled.

House Bill No. 1698 — To make certain provisions, destruction of public records.

On motion, House Bill No. 1698 was made to conform with Senate Bill No. 1773.

On motion, Senate Bill No. 1773, on same subject, was substituted for House Bill No. 1698.

Mr. Smith moved that Senate Bill No. 1773 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	92
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford

(Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 92.

A motion to reconsider was tabled.

Mr. Murphy (Shelby) moved that House Bill No. 2347 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

Mr. Wolfe asked to be recorded as voting aye on House Bills Nos. 1779, 1689, 1540, Senate Bill No. 2067, House Bills Nos. 1846, 1849, 1996, 1697, 1698, 2347 and House Joint Resolution No. 311.

Mr. Wolfe asked to be recorded as present and not voting on House Bill No. 2187.

Mr. Wood asked to be recorded as changing his vote from "No" to "Aye" on House Bill No. 2187.

Mr. Lashlee moved that House Bill No. 1798 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

House Bill No. 2102 — To amend Title 45, Chapter 26, Code.

On motion, House Bill No. 2102 was made to conform with Senate Bill No. 1865.

On motion, Senate Bill No. 1865, on same subject, was substituted for House Bill No. 2102.

Mr. Murphy (Davidson) moved that Senate Bill No. 1865 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0
Present and not voting	4

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hurley, Jensen, Johnson, Kernell, Lanier, Lashlee, Ledford, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 86.

Representatives present and not voting were: Burnett (Sumner), Cobb, Davidson (Wayne) and Hood — 4.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 2405 — To amend Section 59-713, Code.

Mr. Naifeh moved that House Bill No. 2405 be passed on third and final reading.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 2405 by adding a new section which shall read as follows:

“For all professional services rendered by a professional person shall be immune from liability.”

Mr. Martin moved that the amendment be tabled, which motion prevailed by the following vote:

Ayes.....	41
Noes.....	30
Present and not voting	3

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Burks, Burleson, Butler, Byrd, Carter, Chiles, Davidson (Wayne), Fisher, Ford (Cocke), Fuqua, Gaia, Gill, Hall, Henry, Hurley, Johnson, Lanier, Lashlee, McAfee, Martin, Miller, Murray (Franklin), Murray (Madison), Naifeh, Richards, Richardson, Robertson, Scruggs, Shockley, Smith, Stafford, Stallings, Tanner, Wallace, Webb and Williams — 41.

Representatives voting no were: Ashford, Blackburn, Bragg, Burnett (Sumner), Bussart, Cawood, Cobb, Davidson (Robertson), DeBerry, DePriest, Ellis, Fleming, Hood, Kernell, Ledford, McKinney, Murphy (Davidson), Murphy (Shelby), Ozment, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Steinhauer, Withers, Wolfe, Wood, Work and Yelton — 30.

Representatives present and not voting were: Good, Hillis and Spence — 3.

Thereupon, House Bill No. 2405, failed to receive a constitutional majority by the following vote:

Ayes.....	28
Noes.....	47
Present and not voting	5

Representatives voting aye were: Bell, Bishop, Buck, Burnett (Fentress), Butler, Chiles, Davidson (Wayne), Davis, Ellis, Fuqua, Gill, Hall, Lanier, Lashlee, Murray (Franklin), Murray (Madison), Naifeh, Phillips, Richards, Richardson, Scruggs, Smith, Spence, Stafford, Stallings, Tanner, Watson and Williams — 28.

Representatives voting no were: Ashford, Bewley, Bissell, Blackburn, Bragg, Burks, Burleson, Burnett (Sumner), Bussart, Byrd, Cawood, Clark, Darnell, Davidson (Robertson),

DePriest, Fisher, Fleming, Ford (Cocke), Henry, Hillis, Hood, Hurley, Ledford, McAfee, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Ozment, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Shockley, Small, Starnes, Steinhauer, Turner, Wallace, Webb, Withers, Wolfe, Wood, Work and Yelton — 47.

Representatives present and not voting were: Atchley, Carter, DeBerry, Good and Kernell — 5.

Under the rules, House Bill No. 2405 was re-referred to the Committee on Calendar and Rules.

Mr. Naifeh moved that House Bill No. 1595 be placed on the Calendar for Thursday, March 16, 1978, which motion prevailed.

House Bill No. 2459 — To make certain provisions, public water supplies.

Mr. Wallace moved that House Bill No. 2459 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	3
Present and not voting	5

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Cobb, Copeland, Darnell, Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hurley, Jensen, Johnson, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Madison), Naifeh, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton and Young — 82.

Representatives voting no were: Davidson (Robertson), Murray (Franklin) and Williams — 3.

Representatives present and not voting were: Bragg, DeBerry, Hood, Kernell and McAfee — 5.

A motion to reconsider was tabled.

Mr. Byrd asked to be recorded as changing his vote from "aye" to "no" on House Bill No. 2459.

Ms. Gaia asked to be recorded as voting aye on House Bills Nos. 1779, 1686 Senate Bills Nos. 1520, 2067, House Bill No. 2187, Senate Bills Nos. 1699, 1799, House Bills Nos. 1996, 1697 and House Joint Resolution No. 311.

House Bill No. 2290 — To amend Section 50-1013, Code.

Mr. Cobb moved that House Bill No. 2290 be passed on third and final reading.

Thereupon, House Bill No. 2290, failed to receive a constitutional majority by the following vote:

Ayes.....	48
Noes.....	42
Present and not voting	4

Representatives voting aye were: Bell, Bissell, Brewer, Buck, Bussart, Butler, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Ellis, Fisher, Fleming, Ford (Shelby), Gaia, Gill, Hillis, Johnson, Kernell, King, Ledford, Longley, Love, McKinney, Miller, Murphy (Davidson), Murray (Franklin), Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richardson, Robinson (Hamilton), Spence, Starnes, Steinhauer, Turner, Watson, Withers, Work and Yelton — 48.

Representatives voting no were: Ashford, Atchley, Bewley, Blackburn, Bragg, Burks, Burleson, Burnett (Sumner), Byrd, Carter, Chiles, Davidson (Wayne), Elkins, Ford (Cocke), Fuqua, Good, Hall, Henry, Hood, Hurley, Jensen, Lashlee, McAfee, Moore, Murray (Madison), Naifeh, Richards, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Tanner, Wallace, Webb, Wolfe, Wood and Young — 42.

Representatives present and not voting were: Bishop, Lanier, Murphy (Shelby) and Mr. Speaker McWherter — 4.

Under the rules, House Bill No. 2290 was re-referred to the Committee on Calendar and Rules.

House Bill No. 2291 — To amend Section 32-308, Code.

Mr. Cobb moved that House Bill No. 2291 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

Mr. Burnett (Fentress) moved that House Rule No. 48 be suspended for the purpose of placing House Bills. Nos. 1668, 1586, 1871, 1943, 2437 and 1821 on the Calendar for Wednesday, March 8, 1978, which motion prevailed.

House Bill No. 1627 — To make certain provisions, wildlife resources.

Mr. Fuqua moved that House Bill No. 1627 be passed on third and final reading.

Mr. Fuqua moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1627 by deleting section 1 in its entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 51-101, is amended by deleting the section in its entirety and by substituting instead the following:

An independent and separate administrative board of conservation for game, fish, and wildlife of this state is created, to be known and cited as the "wildlife resources commission" or "commission".

The wildlife resources commission shall consist of the chairman, at the time, of the senate standing committee dealing with conservation and wildlife, the chairman, at the time, of the standing committee of the house of representatives dealing with conservation and wildlife, and nine (9) citizens of the state. The citizen members shall be nominated from districts by their fellow sportsmen, appointed by the governor, and confirmed by a majority vote of the members of the appropriate standing committees of the house and senate dealing with conservation and wildlife and by joint resolution of the General Assembly. The commissioner of conservation shall be an ex-officio, non-voting member of the commission.

The citizen members of the commission shall be nominated from and residents of one of the nine districts as follows:

District I. Carter, Claiborne, Cock, Grainger, Greene, Hamblen, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington Counties.

District II. Anderson, Blount, Campbell, Jefferson, Knox, Loudon, Morgan, Roane, Scott, Sevier, and Union Counties.

District III. Bledsoe, Bradley, Cumberland, Hamilton, Marion, McMinn, Meigs, Monroe, Polk, and Rhea Counties.

District IV. Bedford, Cannon, Clay, Coffee, DeKalb, Fentress, Franklin, Grundy, Jackson, Macon, Moore, Overton, Pickett, Putnam, Rutherford, Sequatchie, Smith, Sumner, Trousdale, Van Buren, Warren, White and Wilson Counties.

District V. Davidson County.

District VI. Cheatham, Dickson, Giles, Hickman, Houston, Humphreys, Lawrence, Lewis, Lincoln, Marshall, Maury, Montgomery, Perry, Robertson, Stewart, Wayne, and Williamson Counties.

Districts VII. Benton, Carroll, Chester, Decatur, Hardin, Henderson, Henry, Madison, McNairy, and Weakley Counties.

District VIII. Crockett, Dyer, Fayette, Gibson, Hardeman, Haywood, Lake, Lauderdale, Obion, and Tipton Counties.

District IX. Shelby County.

Any person present at the county meeting who possesses either a valid hunting, fishing, trapping, or other license pursuant to Tennessee Code Annotated, Title 51, Chapter 2, or a valid certificate of number pursuant to Tennessee Code Annotated, Title 70, Chapter 22, shall be eligible to vote. Persons entitled to engage in sport fishing, trapping, and hunting without a license as provided in Tennessee Code Annotated, Section 51-203, shall be eligible to vote upon proof that such person is sixty-five years (65) of age or more.

Each county in each district shall select five (5) qualified people to represent their county at the district meeting that shall be held within thirty (30) days of the county meetings.

Each county will have five (5) votes at the district meeting and may place in nomination one (1) name from their county for consideration by other representatives of the district; provided, however, in Districts V and IX, there shall be no limit on nominations from one county. These nominees must be eighteen (18) years of age or older, holder of any type annual license or permit issued by the Tennessee Wildlife Resources Agency, and knowledgeable of the fish and wildlife situation in Tennessee.

Each district shall submit three (3) names to the governor of Tennessee for his consideration. The governor shall appoint one (1) person from this list and this appointment must be confirmed by the majority vote of the members of the appropriate standing committees of the house and senate dealing with conservation and wildlife and by joint resolution of the General Assembly.

The county meetings shall be called and chaired by the county administrator or judge of each county. The district meetings shall be called and chaired by the county administrator or judge of the county in which the district meeting is held. The district meetings shall be held in the county seat most centrally located in each district.

The wildlife resources agency shall advertise any vacancy in the membership of the commission in the newspapers of the district in which the vacancy is about to exist one hundred twenty (120) days in advance of the date such vacancy will occur. The county meetings shall be held not less than sixty (60) days in advance of the date such vacancy will occur. When a vacancy occurs before the expiration of the term of a commissioner, the wildlife resources agency shall advertise such vacancy in the newspapers of the district in which the vacancy exists thirty (30) days in advance of the county meeting.

The list of three (3) names submitted to the governor from each district shall be validated by the election commission of the county in which the district meeting is held. Except in Districts V and IX, not more than two (2) names submitted from a district shall be those of residents of the same county.

The first three (3) nominees appointed under this act shall be named to terms of two (2) years; the next three (3) nominees shall be appointed to terms of three (3) years; and the final three (3) nominees shall be appointed to terms of four (4) years. After the expiration of the initial terms, all members of the commission shall be appointed to terms of four (4) years. No members shall be eligible to serve more than one (1) full four (4) year term.

The members appointed under this act shall replace the present membership of the wildlife resources commission as the terms of present members expire or as vacancies otherwise occur in each district; provided, however, that if two (2) or more present members of the commission reside in one (1) of the districts created by this act that district position shall be filled at the first vacancy occurring therein and at the time of other vacancies positions shall be filled for districts unrepresented at that time.

Mr. Fuqua moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting in Section 1 the fourth paragraph of the amendatory language which reads as follows:

"Any person present at the county meeting who possesses either a valid hunting, fishing, trapping, or other license pursuant to Tennessee Code Annotated, Title 51, Chapter 2, or a valid certificate of number pursuant to Tennessee Code Annotated, Title 70, Chapter 22, shall be eligible to vote. Persons entitled to engage in sport fishing, trapping, and hunting without a license as provided in Tennessee Code Annotated, Section 51-203, shall be eligible to vote upon proof that such person is sixty-five years (65) of age or more."

and by substituting instead the following:

"Any Tennessee resident present at the county meeting who is interested in the wildlife resources of the state of Tennessee shall be eligible to vote in the county meeting."

On motion, Amendment No. 1 to Amendment No. 1 was adopted.

Mr. Fuqua moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 2 TO AMENDMENT NO. 1

Amend Amendment No. 1 by deleting in the tenth paragraph of the amendatory language in Section 1, the words and number "two (2)" and by substituting instead the words and number "one (1)".

On motion, Amendment No. 2 to Amendment No. 1 was adopted.

Mr. Fuqua moved to amend Amendment No. 1 as follows:

AMENDMENT NO. 3 TO AMENDMENT NO. 1

Amend Amendment No. 1 by inserting at the end of the seventh paragraph of the amendatory language in section 1, the following sentence:

"If the governor fails to appoint a person from the list within thirty (30) days after submission of the list to the governor, the nominee of the district meeting receiving the largest number of votes in the district meeting shall be designated the governor's appointee and, upon proper confirmation, shall serve as commissioner for the district from which he was nominated.

On motion, Amendment No. 3 to Amendment No. 1 was adopted.

Thereupon, Amendment No. 1, as amended, was adopted.

Mr. Fuqua moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1627 by adding the following sentence at the end of the fifth paragraph of the amendatory language in section 1:

“Knox and Hamilton counties shall select ten (10) qualified people to represent their county at the district meetings.”

AND FURTHER AMEND, by deleting the period at the end of the first sentence of the sixth paragraph of the amendatory language in section 1 and by substituting instead the following:

“,and Knox and Hamilton counties shall have ten (10) votes at the district meeting.”

On motion, the amendment was adopted.

Thereupon, House Bill No. 1627, as amended, passed its third and final reading by the following vote:

Ayes.....	52
Noes.....	31
Present and not voting	9

Representatives voting aye were: Ashford, Bell, Bishop, Bragg, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Copeland, Davis, DeBerry, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Hall, Kernell, King, Lanier, Lashlee, Love, McAfee, Miller, Moore, Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Pruitt, Richardson, Robertson, Robinson (Hamilton), Scruggs, Small, Smith, Spence, Stafford, Stallings, Sterling, Turner, Wallace, Watson, Williams, Withers, Wolfe and Wood — 52.

Representatives voting no were: Bewley, Bissell, Blackburn, Burks, Burleson, Cawood, Chiles, Clark, Cobb, Davidson (Robertson), Davidson (Wayne), Elkins, Fisher, Good, Hillis, Hood, Hurley, Johnson, Ledford, Longley, Martin, Murphy (Davidson), Ozment, Rhinehart, Robinson (Davidson), Robinson (Washington), Shockley, Steinhauer, Webb, Work and Yelton — 31.

Representatives present and not voting were: Atchley, Buck, Butler, Darnell, Henry, Richards, Starnes, Young and Mr. Speaker McWherter — 9.

A motion to reconsider was tabled.

House Bill No. 1709 — To modify penalty and interest provisions, underpayment of estimated tax.

On motion, House Bill No. 1709 was made to conform with Senate Bill No. 1720.

On motion, Senate Bill No. 1720, on same subject, was substituted for House Bill No. 1709.

Mr. Bragg moved that Senate Bill No. 1720 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	74
Noes.....	7
Present and not voting	10

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Henry, Hillis, Hood, Hurley, Jensen, Johnson, King, Lanier, Ledford, Longley, Love, McKinney, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Watson, Webb, Williams, Withers, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 75.

Representatives voting no were: Burks, Chiles, Elkins, Ellis, Lashlee, Murray (Madison) and Naifeh — 7.

Representatives present and not voting were: Ashford, Hall, Miller, Nolan, Scruggs, Shockley, Small, Smith, Wallace and Wolfe — 10.

A motion to reconsider was tabled.

House Bill No. 1710 — To authorize tax returns and payments, optional reporting period intervals.

On motion, House Bill No. 1710 was made to conform with Senate Bill No. 1723.

On motion, Senate Bill No. 1723, on same subject, was substituted for House Bill No. 1710.

Mr. Bragg moved that Senate Bill No. 1723 be passed on third and final reading.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1723 by deleting the last sentence in Section I, Subsection (E)

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1723, as amended, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	4

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford

(Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Martin, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Spence, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter — 91.

Representatives voting no were: Chiles, Miller, Scruggs and Stafford — 4.

A motion to reconsider was tabled.

Mr. Johnson asked to be recorded as changing his vote from “no” to “aye” on House Bill No. 1627.

Mr. Miller asked to be recorded as changing his vote from “no” to “aye” on Senate Bill No. 1723.

House Bill No. 1711 — To establish interest rate, certain tax liability payments.

Mr. Bragg moved that House Bill No. 1711 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	77
Noes.....	13
Present and not voting	2

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burnett (Fentress), Burnett (Sumner), Bussart, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Ellis, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Turner, Watson, Webb, Withers, Wood, Work, Yelton and Mr. Speaker McWherter — 77.

Representatives voting no were: Ashford, Burks, Burleson, Chiles, Elkins, Fisher, Hall, Robertson, Scruggs, Smith, Wallace, Williams and Wolfe — 13.

Representatives present and not voting were: McAfee and Richards — 2.

A motion to reconsider was tabled.

House Bill No. 1712 — To exempt certain contractors from sales and use tax.

On motion, House Bill No. 1712 was made to conform with Senate Bill No. 1722.

On motion, Senate Bill No. 1722, on same subject, was substituted for House Bill No. 1712.

Mr. Bragg moved that Senate Bill No. 1722 be passed on third and final reading.

Mr. McKinney moved that Senate Bill No. 1722 be re-referred to the Committee on Finance, Ways and Means.

Mr. Bragg moved that the motion be tabled, which motion prevailed by the following vote:

Ayes.....	62
Noes.....	29
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Bussart, Carter, Chiles, Clark, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Fleming, Ford (Cocke), Fuqua, Good, Hall, Henry, Hurley, Jensen, Johnson, Lanier, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Moore, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Richards, Richardson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Smith, Spence, Stallings, Starnes, Sterling, Tanner, Wallace, Watson, Webb, Williams, Wolfe, Work, Yelton and Mr. Speaker McWherter — 62.

Representatives voting no were: Ashford, Bissell, Burnett (Sumner), Butler, Byrd, Cawood, Cobb, Copeland, DeBerry, Ellis, Fisher, Ford (Shelby), Gaia, Gill, Hillis, Hood, Kernell, King, McKinney, Murphy (Davidson), Murphy (Shelby), Rhinehart, Robertson, Shockley, Small, Stafford, Steinhauer, Withers and Wood — 29.

Representative present and not voting was: Turner — 1.

Thereupon, Senate Bill No. 1722, passed its third and final reading by the following vote:

Ayes.....	91
Noes.....	2
Present and not voting	2

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 91.

Representatives voting no were: McKinney and Stafford — 2.

Representatives present and not voting were: Byrd and DeBerry — 2.

A motion to reconsider was tabled.

House Bill No. 2211 — To amend Section 8-2502, Code.

Mr. Burnett (Fentress) moved that House Bill No. 2211 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	86
Noes.....	4
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Martin, Miller, Moore, Murphy (Davidson), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 86.

Representatives voting no were: Chiles, Hurley, Jensen and Stafford — 4.

Representative present and not voting was: Ashford — 1.

A motion to reconsider was tabled.

House Bill No. 1590 — To provide allowance for mine related employees.

On motion, House Bill No. 1590 was made to conform with Senate Bill No. 1606.

On motion, Senate Bill No. 1606, on same subject, was substituted for House Bill No. 1590.

Mr. Robinson (Hamilton) moved that Senate Bill No. 1606 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	0
Present and not voting	10

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Cawood, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hillis, Hood, Hurley, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 82.

Representatives present and not voting were: Carter, Chiles, Clark, Hall, Henry, Martin, Moore, Richards, Scruggs and Sterling — 10.

A motion to reconsider was tabled.

House Bill No. 1560 — To enact standard nonforfeiture Law, individual deferred annuities.

On motion, House Bill No. 1560 was made to conform with Senate Bill No. 1564.

On motion, Senate Bill No. 1564, on same subject, was substituted for House Bill No. 1560.

Ms. DeBerry moved that Senate Bill No. 1564 be passed on third and final reading, which motion prevailed by the following vote:

Ayes	85
Noes	0
Present and not voting	4

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Chiles, Clark, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 85.

Representatives present and not voting were: Carter, Cawood, Dixon and Small — 4.

A motion to reconsider was tabled.

House Bill No. 1561 — To establish standards for life insurance reserves.

On motion, House Bill No. 1561 was made to conform with Senate Bill No. 1566.

On motion, Senate Bill No. 1566, on same subject, was substituted for House Bill No. 1561.

Ms. DeBerry moved that Senate Bill No. 1566 be passed on third and final reading, which motion prevailed by the following vote:

Ayes	93
Noes	0
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Longley, Love, McAfee, McKinney, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Smith, Spence, Stafford, Stallings,

Starnes, Steinhauer, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 93.

Representatives present and not voting were: Ashford and Small — 2.

A motion to reconsider was tabled.

Ms. DeBerry moved that House Bill No. 1562 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

House Bill No. 1724 — To amend Section 2-511, Code.

On motion, House Bill No. 1724 was made to conform with Senate Bill No. 1517.

On motion, Senate Bill No. 1517, on same subject, was substituted for House Bill No. 1724.

Mr. Murphy (Davidson) moved that Senate Bill No. 1517 be passed on third and final reading.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1517 by deleting the words "or withdraws" from the third line of Section 1.

On motion, the amendment was adopted.

Mr. Murphy (Davidson) moved that Senate Bill No. 1517 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

House Bill No. 2043 — To make certain provisions, voter registration.

Mr. Murphy (Davidson) moved that House Bill No. 2043 be passed on third and final reading.

The bill failed to receive a constitutional majority by the following vote:

Ayes.....	31
Noes.....	56
Present and not voting	5

Representatives voting aye were: Bissell, Blackburn, Bussart, Byrd, Cawood, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Fleming, Ford (Shelby), Gaia, Hood, Jensen, Kernell, King, Love, Miller, Murphy (Davidson), Murphy (Shelby), Nolan, Ozment, Phillips, Pruitt, Spence, Steinhauer, Withers and Yelton — 31.

Representatives voting no were: Ashford, Atchley, Bell, Bewley, Bishop, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Carter, Chiles, Copeland, DePriest, Dixon, Elkins, Fisher, Ford (Cocke), Fuqua, Gill, Good, Hall, Henry, Hillis, Hurley, Lanier, Lashlee, Ledford, Longley, McAfee, Martin, Moore, Murray (Franklin), Murray (Madison), Naifeh, Rhinehart, Richards, Robertson, Robinson (Washington), Scruggs, Small,

Smith, Stafford, Stallings, Sterling, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Work and Young — 56.

Representatives present and not voting were: Johnson, Richardson, Robinson (Hamilton), Starnes and Mr. Speaker McWherter — 5.

Under the rules, House Bill No. 2043 was re-referred to the Committee on Calendar and Rules.

Mr. Nolan moved that House Bill No. 2384 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

House Bill No. 1664 — To make certain provisions, examination of a judgement debtor.

On motion, House Bill No. 1664 was made to conform with Senate Bill No. 1547.

On motion, Senate Bill No. 1547, on same subject, was substituted for House Bill No. 1664.

Mr. Bussart moved that Senate Bill No. 1547 be passed on third and final reading.

Mr. McKinney moved that Senate Bill No. 1547 be re-referred to the Committee on Finance, Ways and Means.

Mr. Bussart moved that the motion be tabled, which motion prevailed by the following vote:

Ayes.....	56
Noes.....	29
Present and not voting	4

Representatives voting aye were: Bell, Blackburn, Bragg, Buck, Burleson, Burnett (Fentress), Bussart, Butler, Byrd, Cawood, Chiles, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Elkins, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Good, Hall, Hood, Hurley, Johnson, Kernell, Lanier, Ledford, Longley, Martin, Murray (Franklin), Murray (Madison), Naifeh, Phillips, Richards, Richardson, Robertson, Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Williams, Wolfe, Wood, Yelton and Young — 56.

Representatives voting no were: Ashford, Atchley, Bewley, Brewer, Burks, Burnett (Sumner), Clark, Cobb, Copeland, DeBerry, Ellis, Fisher, Fleming, Henry, Hillis, Jensen, King, McKinney, Murphy (Davidson), Murphy (Shelby), Nolan, Ozment, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Steinhauer, Watson and Withers — 29.

Representatives present and not voting were: Love, Miller, Moore and Work — 4.

Thereupon, Senate Bill No. 1547, passed its third and final reading by the following vote:

Ayes.....	52
Noes.....	33
Present and not voting	9

Representatives voting aye were: Bell, Bishop, Bissell, Blackburn, Buck, Burleson, Burnett (Fentress), Bussart, Cawood, Chiles, Copeland, Darnell, Davidson (Robertson), Davis, Elkins, Ford (Cocke), Fuqua, Gaia, Gill, Hurley, Johnson, Kernell, Lanier, Lashlee, Longley, Martin, Moore, Murray (Franklin), Murray (Madison), Naifeh, Phillips, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Williams, Wolfe, Wood, Yelton, Young and Mr. Speaker McWherter — 52.

Representatives voting no were: Atchley, Bewley, Brewer, Burks, Burnett (Sumner), Butler, Carter, Clark, Cobb, DeBerry, DePriest, Ellis, Fisher, Fleming, Ford (Shelby), Hall, Henry, Hillis, Jensen, King, Ledford, Love, McKinney, Murphy (Shelby), Ozment, Pruitt, Rhinehart, Robinson (Hamilton), Stafford, Steinhauer, Watson, Withers and Work — 33.

Representatives present and not voting were: Ashford, Bragg, Byrd, Davidson (Wayne), Good, Hood, Miller, Nolan and Spence — 9.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 2472 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

Mr. Miller moved that House Bill No. 2487 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No.

2400 — To provide signs, Forbidden Caverns; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

House Bill No. 2323 — To make certain provisions, Interstate Highway Signs.

On motion, House Bill No. 2323 was made to conform with Senate Bill No. 2400.

On motion, Senate Bill No. 2400, on same subject, was substituted for House Bill No. 2323.

Mr. Ford (Cocke) moved that Senate Bill No. 2400 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	82
Noes.....	2
Present and not voting	7

Representatives voting aye were: Ashford, Atchley, Bewley, Bishop, Bissell, Blackburn, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Carter, Cawood, Chiles, Clark, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lashlee, Ledford, Longley, McAfee, Martin, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison),

Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton and Young — 82.

Representatives voting no were: Bell and Spence — 2.

Representatives present and not voting were: Bragg, Brewer, Buck, Burks, Byrd, Henry and Mr. Speaker McWherter — 7.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 2375 — To make certain provisions, massage parlors, Sullivan County.

On motion, House Bill No. 2375 was made to conform with Senate Bill No. 2374.

On motion, Senate Bill No. 2374, on same subject, was substituted for House Bill No. 2375.

Mr. Blackburn moved that Senate Bill No. 2374 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	72
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Bureson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 72.

A motion to reconsider was tabled.

Mr. Ford (Shelby) moved that House Bill No. 443 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 1547 — To make certain provisions, liability for dog ownership.

Mr. Bragg moved that House Bill No. 1547 be passed on third and final reading.

Mr. Richards moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1547 by deleting from the language of section 2 the word "worrying" and substitute in lieu thereof the word "injuring."

On motion, the amendment was adopted.

Mr. Ellis moved the previous question, which motion failed by the following vote:

Ayes.....	45
Noes.....	32
Present and not voting	5

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Burleson, Burnett (Fentress), Butler, Carter, Clark, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), DePriest, Elkins, Ellis, Fleming, Ford (Shelby), Gaia, Good, Henry, Hillis, King, Lanier, Longley, Love, McAfee, Martin, Murphy (Shelby), Murray (Madison), Naifeh, Phillips, Richards, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Spence, Stafford, Starnes, Tanner, Watson, Webb, Withers, Wood and Work — 45.

Representatives voting no were: Ashford, Bell, Buck, Burks, Bussart, Byrd, Cawood, Copeland, Davis, DeBerry, Dixon, Ford (Cocke), Fuqua, Gill, Hurley, Johnson, Ledford, Miller, Moore, Murray (Franklin), Nolan, Pruitt, Rhinehart, Richardson, Robertson, Scruggs, Smith, Stallings, Steinhauer, Wallace, Williams and Wolfe — 32.

Representatives present and not voting were: Burnett (Sumner), Hall, Lashlee, Murphy (Davidson) and Ozment — 5.

Mr. Ozment moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1547 by adding a new section which reads as follows:

Section 3. No liability incurred by the passage of this act shall be criminal in nature.
and by renumbering Section 3 as Section 4.

On motion, the amendment was adopted.

Mr. Williams moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1547 by inserting in the second line of the amendatory language of Section 1 after the word "person" the following:

"not otherwise involved in a criminal act"

and further amend by inserting in the third line of the amendatory language of Section 2 after the word "person" the following:

"and that the person was not involved in a criminal act"

On motion, the amendment was adopted.

Mr. Buck moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1547 by adding to Section 1 the following language:

provided however the harborer or owner of any dog shall be liable only for actual medical expenses if the said dog has not previously displayed violent tendencies, in any such action for injuries to a human being.

On motion, the amendment was adopted.

Mr. Gill moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 1547 by adding the following language to the end of the amendatory language of Section 1:

Provided however, the owner of a dog which is trained for and utilized by law enforcement officers or other security personnel shall not be liable for injuries caused by such dogs in their official use for such purposes.

On motion, the amendment was adopted.

Mr. Murray (Madison) moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 1547 by adding a new sentence at the end of Section 1 that states: This will not apply to a person's own home or own real property of the owner.

On motion, the amendment was adopted.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 7

Amend House Bill No. 1547 by inserting a new section which shall read as follows:

"Poodles shall be exempt from this Act."

Mr. Burnett (Fentress) moved that Amendment No. 7 be tabled, which motion prevailed.

Mr. Bragg moved that House Bill No. 1547 be placed on the Calendar for Monday, March 13, 1978, which motion prevailed.

RESOLUTIONS LYING OVER

Senate Joint Resolution No. 205 — Relative to appreciation, William M. Pritchett.

Under the rules, Senate Joint Resolution No. 205 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 206 — Relative to federal funds, Social Security Act.

Under the rules, Senate Joint Resolution No. 206 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 207 — Relative to honoring Elvin Ellis Overton.

Under the rules, Senate Joint Resolution No. 207 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 208 — Relative to commending Korns Community Club.

Under the rules, Senate Joint Resolution No. 208 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 209 — Relative to honoring Errette Shemmell Bevins, Jr.

Under the rules, Senate Joint Resolution No. 209 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 210 — Relative to commending WPLN radio station.

Under the rules, Senate Joint Resolution No. 210 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 211 — Relative to commending WPLN radio station and personnel.

Under the rules, Senate Joint Resolution No. 211 was referred to the Committee on Calendar and Rules.

Senate Joint Resolution No. 212 — Relative to congratulating John H. Cary.

Under the rules, Senate Joint Resolution No. 212 was referred to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Pursuant to Rule No. 13, your Committee on Calendar and Rules begs leave to report that we have met and submit to the House that House Bill No. 1977 be considered as the first bill on the Calendar on Tuesday, March 7, 1978.

MILLER, Vice Chairman.

Mr. Miller moved that the Report of the Committee on Calendar and Rules be adopted.

Mr. Ashford moved that the motion be tabled, which motion failed by the following vote:

Ayes.....	27
Noes.....	58
Present and not voting	2

Representatives voting aye were: Ashford, Bussart, Byrd, Cawood, Clark, Cobb, DeBerry, Fleming, Ford (Cocke), Ford (Shelby), Good, Hurley, Kernell, Miller, Moore, Murphy (David-

son), Murphy (Shelby), Murray (Franklin), Nolan, Ozment, Pruitt, Robertson, Robinson (Washington), Small, Steinhauer, Withers and Wood — 27.

Representatives voting no were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Sumner), Butler, Carter, Chiles, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fuqua, Gill, Hall, Henry, Hillis, Hood, Jensen, Johnson, King, Ledford, Longley, Love, McAfee, Martin, Naifeh, Phillips, Rhinehart, Richards, Richardson, Robinson (Davidson), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Wallace, Watson, Webb, Williams, Wolfe, Work, Yelton and Young — 58.

Representatives present and not voting were: Robinson (Hamilton) and Mr. Speaker McWherter — 2.

Thereupon, the Report of the Committee on Calendar and Rules pertaining to House Bill No. 1977 was adopted by the following vote:

Ayes.....	71
Noes.....	12
Present and not voting	5

Representatives voting aye were: Atchley, Bell, Bewley, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Sumner), Butler, Carter, Chiles, Darnell, Davidson (Wayne), Davis, DePriest, Dixon, Elkins, Ellis, Fleming, Ford (Cocke), Fuqua, Gaia, Gill, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lashlee, Ledford, Longley, Love, McAfee, Martin, Miller, Murray (Franklin), Murray (Madison), Naifeh, Nolan, Phillips, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shockley, Smith, Spence, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 71.

Representatives voting no were: Ashford, Bussart, Cawood, Clark, Davidson (Robertson), Ford (Shelby), Good, Murphy (Shelby), Pruitt, Robinson (Washington), Steinhauer and Withers — 12.

Representatives present and not voting were: Byrd, DeBerry, Moore, Ozment and Small — 5.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 464 out of order, which motion prevailed.

House Joint Resolution No. 464 — Relative to naming certain highway segment the “Herman G. Cowden By-Pass” — By Hillis and Mr. Speaker McWherter.

Mr. Hillis moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 464, which motion prevailed.

Mr. Hillis moved that House Joint Resolution No. 464 be adopted, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Sumner), Bussart, Butler, Byrd, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

Mr. Cobb moved that the rules be suspended for the purpose of introducing House Resolution No. 116 out of order, which motion prevailed.

House Resolution No. 116 — Relative to expressing grief, death of Fannie Mae Dees — By Cobb.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Cobb, the resolution was adopted.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1765 — To enact Rental Location Agent Act.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1765 by substituting the words and figures "ten dollars (\$10)" for the words and figures "twenty-five dollars (\$25.00)" in subsection (b) of Section 3.

Mr. Murphy (Davidson) moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Atchley, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

Mr. Brewer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 447 out of order, which motion prevailed.

House Joint Resolution No. 447 — Relative to congratulating Otis M. Smith — By Martin and Brewer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Brewer, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Brewer moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 471 out of order, which motion prevailed.

House Joint Resolution No. 471 — Relative to congratulating Earnest Clinton Winfield, III — By DeBerry, King, Withers, Martin, Ford (Shelby), Brewer, Byrd, Spence, Gaia, Gill, Murphy (Shelby), Williams, Kernell, Turner and Small.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Brewer, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Fuqua moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 197, which motion prevailed.

Senate Joint Resolution No. 197 — Relative to funding soil conservation and watershed project, Gibson County.

Mr. Fuqua moved that Senate Joint Resolution No. 197 be concurred in, which motion prevailed by the following vote:

Ayes.....	85
Noes.....	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bissell, Blackburn, Brewer, Buck, Burks, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, McKinney, Miller, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 85.

Representative voting no was: Bragg — 1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.

1637 — To amend Title 8, Chapters 9, 10, 13, 16 and 19 and Title 67, Chapter 3, Code.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 1637

Senate Bill No. 1637 — To amend Title 8, Chapters 9, 10, 13, 16 and 19 and Title 67, Chapter 3, Code.

Mr. Burnett (Fentress) moved that the motion to reconsider be lifted from the table, which motion prevailed.

Mr. Burnett (Fentress) moved that the House recede from its action in adopting Amendment No. 1, which motion prevailed.

Mr. Burnett (Fentress) moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 1637 by adding a new section (12) twelve and renumbering the remaining section as section 13.

Section 12 Under the provisions of this Act the governing body of any county by 2/3 vote shall elect whether or not the county officials of said county shall make a surety bond or a bond with two (2) or more good sureties, approved by the court as provided in this Act, prior to the time such official is inducted and sworn into office.

This section shall not apply to bonds required to be made by notary publics. A notary public is authorized to make either a surety bond or a bond with two (2) or more good sureties.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1637, as amended, passed its third and final reading by the following vote:

Ayes..... 89
Noes..... 0

Representatives voting aye were: Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford

(Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Ledford, Longley, Love, McAfee, Miller, Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 89.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 798 — To make certain provisions, farmers.

SENATE AMENDMENT NO. 1.

Amend House Bill No. 798 by adding to the end of the second full paragraph of Section 1 the following sentence:

The Commissioner shall require that any individual granted a cutting permit possess, during the cutting and baling operation, minimum liability insurance in the amount of fifty thousand dollars (\$50,000) for bodily injury or death to any one person in a single accident, plus one hundred thousand dollars (\$100,000) for bodily injury or death to two or more persons in a single accident, plus ten thousand dollars (\$10,000) for injury to or destruction of property in a single accident.

Mr. Burnett (Fentress) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	81
Noes.....	1

Representatives voting aye were: Ashford, Bell, Bewley, Bissell, Blackburn, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Butler, Byrd, Carter, Cawood, Chiles, Cobb, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Ledford, Longley, Love, McAfee, McKinney, Miller, Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 81.

Representative voting no was: Bussart — 1.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1636 — To make provisions, hearings on parole violations.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1636 by adding to the second line of the amendatory language of Section 1 between the words "misdemeanor" and "shall" the words "committed after parole".

Mr. Burnett (Fentress) moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes.....	87
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Ledford, Longley, Love, McAfee, Miller, Moore, Murray (Franklin), Naifeh, Nolan, Ozment, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 87.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1579 — To make certain provisions, regulation of captive insurance companies.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1579 as follows:

Amend Section 4 (3) by inserting the words "insurance or" between the words "make" and "reinsurance" so that subsection shall read:

(3) No captive insurance company may make insurance or reinsurance on a personal motor vehicle or homeowner's insurance coverage or any component thereof.

SENATE AMENDMENT NO. 2

Amend House Bill No. 1579 by striking from Section 5 (1) in the fourth line of said section the word "casualty" appearing after the word "make" and immediately before the word "insurance"

Mr. Burnett (Fentress) moved that the House concur in Senate Amendments Nos. 1 and 2, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	0

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

A motion to reconsider was tabled.

Mr. Robertson moved that House Bill No. 2503 be recalled from the Committee on Calendar and Rules, which motion prevailed.

Mr. Robertson moved that the rules be suspended for the immediate consideration of House Bill No. 2503, which motion prevailed.

House Bill No. 2503 — To regulate establishment of certain sanitary landfills.

On motion, House Bill No. 2503 was made to conform with Senate Bill No. 2547.

On motion, Senate Bill No. 2457, on same subject, was substituted for House Bill No. 2503.

Mr. Robertson moved that Senate Bill No. 2457 be passed on third and final reading, which motion prevailed by the following vote:

Ayes.....	90
Noes.....	1
Present and not voting	1

Representatives voting aye were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Shelby), Murray (Franklin), Naifeh, Nolan, Ozment, Phillips, Pruitt, Rhinehart, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 90.

Representative voting no was: Richards — 1.

Representative present and not voting was: Smith — 1.

A motion to reconsider was tabled.

Mr. Hall asked to be recorded as changing his vote from "Aye" to "No" on Senate Bill No. 2457.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 97

Representatives present were: Ashford, Atchley, Bell, Bewley, Bishop, Bissell, Blackburn, Bragg, Brewer, Buck, Burks, Burleson, Burnett (Fentress), Burnett (Sumner), Bussart, Butler, Byrd, Carter, Cawood, Chiles, Clark, Cobb, Copeland, Darnell, Davidson (Robertson), Davidson (Wayne), Davis, DeBerry, DePriest, Dixon, Elkins, Ellis, Fisher, Fleming, Ford (Cocke), Ford (Shelby), Fuqua, Gaia, Gill, Good, Hall, Henry, Hillis, Hood, Hurley, Jensen, Johnson, Kernell, King, Lanier, Lashlee, Ledford, Longley, Love, McAfee, McKinney, Miller, Moore, Murphy (Davidson), Murphy (Shelby), Murray (Franklin), Murray (Madison), Naifeh, Nolan, Ozment, Phillips, Pickering, Pruitt, Rhinehart, Richards, Richardson, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shockley, Small, Smith, Spence, Stafford, Stallings, Starnes, Steinhauer, Tanner, Turner, Wallace, Watson, Webb, Williams, Withers, Wolfe, Wood, Work, Yelton, Young and Mr. Speaker McWherter — 97.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution No. 450 — Relative to urging the United States Congress to pass certain Medicaid legislation — By Bragg.

Under the rules, House Joint Resolution No. 450 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 451 — Relative to urging approval of certain funds, Clinch River Breeder Reactor Project — By Elkins and Bissell.

Under the rules, House Joint Resolution No. 451 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 452 — Relative to honoring and commending Dr. Athens Clay Pullias — By Burnett (Fentress) and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 452 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 453 — Relative to requesting transfer of administrative duties, certain state school — By Hurley, Blackburn, Good, Burleson, Hood, Yelton, Robertson, Robinson (Washington) and Shockley.

Under the rules, House Joint Resolution No. 453 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 458 — Relative to naming a portion of U.S. Highway 51 the "Jere B. Ford Memorial Highway" — By Lanier, Tanner and Bishop.

The Speaker referred House Joint Resolution No. 458 to the Committee on Transportation.

House Joint Resolution No. 459 — Relative to congratulating the Hampton High School basketball team — By Burleson.

Under the rules, House Joint Resolution No. 459 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 460 — Relative to congratulating the Unicoi County High School basketball team — By Burleson.

Under the rules, House Joint Resolution No. 460 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 461 — Relative to directing a study, benefit levels for members of the Consolidated Retirement System — By Copeland.

The Speaker referred House Joint Resolution No. 461 to the Committee on Finance, Ways and Means.

House Joint Resolution No. 462 — Relative to congratulating the Baylor School of Chattanooga, state wrestling championship — By McAfee, Davis, Copeland, Robinson (Hamilton), Wood, Starnes and Carter.

Under the rules, House Joint Resolution No. 462 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 465 — Relative to directing an evaluation of progress in meeting EPA sewage treatment standards — By Bragg and Darnell.

The Speaker referred House Joint Resolution No. 465 to the Committee on Finance, Ways and Means.

House Resolution No. 112 — Relative to continuing the study of Laetrile — By Miller, Johnson, Naifeh, Scruggs, Gill and Jensen.

Under the rules, House Resolution No. 112 was referred to the Committee on Calendar and Rules.

House Resolution No. 113 — Relative to honoring Coach Dwight Waller of Brownsville — By Bishop, Davidson (Wayne), Hillis, Stallings, Lashlee, Naifeh, Lanier, Fuqua, Buck, Burnett (Sumner), Wallace, Murphy (Shelby), Withers, Ford (Shelby), DeBerry, Spence, Williams, Wolfe, Young, Fisher, Dixon, Cawood and Stafford.

Under the rules, House Resolution No. 113 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2521 — To amend charter, Morristown — By Shockley.

Passed first reading.

House Bill No. 2522 — To amend charter, Morristown — By Shockley.

Passed first reading.

House Bill No. 2523 — To provide for election, superintendent of education, Meigs County — By Wood.

Passed first reading.

House Bill No. 2524 — To make certain provisions, emergency lights on constables' vehicles — By Good and Robinson (Washington).

Passed first reading.

House Bill No. 2525 — To provide for establishment of school zones, Wilson County — By Bell.

Passed first reading.

House Bill No. 2526 — To provide for reapportionment of road commission zones, Wilson County — By Bell.

Passed first reading.

House Bill No. 2527 — To fix compensation of McMinn County Council — By Webb, Watson, and Ledford.

Passed first reading.

House Bill No. 2528 — To fix times for holding court, seventeenth chancery division — By Steinhauer and Burnett (Sumner).

Passed first reading.

House Bill No. 2529 — To amend Chapter 228, Private Acts of 1967 — By Lanier.

Passed first reading.

House Bill No. 2530 — To amend Chapter 162, Private Acts of 1972 — By Buck.

Passed first reading.

House Bill No. 2531 — To increase compensation of certain city officials, Brownsville — By Bishop.

Passed first reading.

House Bill No. 2532 — To make certain provisions, city council of Clarksville — By Darnell and Pickering.

Passed first reading.

Mr. Starnes moved that the prefiled rule be suspended for the introduction of House Bill No. 2536, which motion prevailed.

INTRODUCTION OF BILL

House Bill No. 2536 — To exempt Hamilton County school system from certain purchasing requirements — By Starnes, Wood, Davis, Copeland, McAfee, Carter and Robinson (Hamilton).

Passed first reading.

SENATE BILLS ON FIRST READING

Senate Bill No. 1663 — To repeal Chapter 494, Acts of 1909.

Passed first reading.

Senate Bill No. 1729 — To amend Shelby County Restructure Act.

Passed first reading.

Senate Bill No. 1823 — To amend Title 26, Chapter 5, Code.

Passed first reading.

Senate Bill No. 1885 — To amend Section 62-238, Code.

Passed first reading.

Senate Bill No. 1928 — To create Criminal Investigator, Fifteenth Judicial Circuit.

Passed first reading.

Senate Bill No. 1939 — To amend Title 6, Chapter 37, Code.

Passed first reading.

Senate Bill No. 2041 — To regulate counseling services, certain persons.

Passed first reading.

Senate Bill No. 2143 — To regulate tariff rates, public storage facilities.

Passed first reading.

Senate Bill No. 2158 — To amend Title 53, Code.

Passed first reading.

Senate Bill No. 2209 — To amend Title 36, Chapter 1, Code.

Passed first reading.

Senate Bill No. 2212 — To amend Section 49-605, Code.

Passed first reading.

Senate Bill No. 2249 — To regulate uninsured motorists insurance.

Passed first reading.

Senate Bill No. 2280 — To amend Shelby County Restructure Act.

Passed first reading.

Senate Bill No. 2454 — To amend Shelby County Restructure Act.

Passed first reading.

Senate Bill No. 2465 — To create third division, General Sessions Court, Sullivan County.

Passed first reading.

HOUSE BILLS ON SECOND READING

House Bill No. 2508 — To enact Health Planning and Resources Development Act.

Passed second reading and referred to Committee on General Welfare.

House Bill No. 2509 — To make provisions, Road Commission, Carroll County.

Passed second reading and held without reference.

House Bill No. 2510 — To establish Hawkins County Planning Commission.

Passed second reading and held without reference.

House Bill No. 2511 — To amend Charter, Bartlett.

Passed second reading and held without reference.

House Bill No. 2512 — To clarify certain taxing procedures.

Passed second reading and referred to Committee on Finance, Ways and Means.

House Bill No. 2513 — To amend Charter, Cookeville.

Passed second reading and held without reference.

House Bill No. 2514 — To create new division, General Sessions Court, Sullivan County.

Passed second reading and held without reference.

House Bill No. 2515 — To provide for office or city judge, Tullahoma.

Passed second reading and held without reference.

House Bill No. 2516 — To amend Charter, Maryville.

Passed second reading and held without reference.

House Bill No. 2517 — To amend Charter, Franklin.

Passed second reading and held without reference.

House Bill No. 2518 — To change time, Circuit and Criminal Court, Roane County.

Passed second reading and referred to Committee on Judiciary.

House Bill No. 2519 — To provide for election board of education, Anderson County.

Passed second reading and held without reference.

House Bill No. 2520 — To amend Hamilton County Employees Retirement Act.

Passed second reading and held without reference.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Tuesday, March 7, 1978: House Bills Nos. 2292, 2388, 1843, 1950, 1951, House Joint Resolution No. 135, House Bills Nos. 1848, 2262, 1883, 727, 2062, 1649, Senate Bill No. 1683, House Bills Nos. 2103 and 1729.

LANIER, Chairman.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1627, 1689, 1697, 1711, 1779, 1996, 2187, 2211, 2291 and 2459; House Joint Resolution No. 311; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills No.

1648 — To amend Sections 59-712 and 59-713, Code;

1940 — To amend Section 40-3406, Code;

1959 — To provide for certain directional signs on I-40, Knox County;

2138 — To amend Title 54, Chapter 5, Code;

2151 — To amend Title 59, Chapter 8, Code;

2463 — To authorize school bonds, Carroll County;

2464 — To make provisions, elections in Hollow Rock;

2471 — To provide compensation, school board, Morgan County;

2475 — To create county attorney's offices, Hancock County;

2484 — To provide for road superintendent's staff, Claiborne County;

2488 — To amend Charter, Dresden; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.

463 — Relative to deploring condition of railroad roadbeds; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

NOTICE TO OVERRIDE VETO

MR. SPEAKER: I hereby file notice under House Rule No. 76 that I plan to move House Bill No. 797 for passage, notwithstanding the objections of the Executive.

BURNETT (Fentress)

Under the rules, the notice lies over.

LOCAL BILLS REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2510, 2513, 2514, 2515 and 2517.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

2184 — To amend Section 54-211, Code;

2211 — To amend Section 8-2502, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Smith asked to be recorded as voting aye on the Consent Calendar for March 2, 1978.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2134 — Ashford

House Bill No. 2147 — Ashford

House Bill No. 2506 — Ellis

House Joint Resolution No. 311 — Miller

MOTIONS

On motion of Mr. Jensen, House Bill No. 1753 was recalled from the Committee on Agriculture.

On motion of Mr. Jensen, House Bill No. 1753 be referred to the Committee on Finance, Ways and Means.

On motion of Mr. Ashford, House Bill No. 1186 was recalled from the Committee on Calendar and Rules.

On motion of Mr. Ashford, House Bill No. 1186 was withdrawn from the House.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.

1792 — To amend Title 8, Chapter 45, Code;

1873 — To provide extended tenure for certain National Guard officers;

1978 — To amend Title 23, Chapter 34, Code;

2003 — To amend Title 67, Chapter 3, Code;

2328 — To amend Title 59, Chapter 22, Code;

2442 — To amend Section 6-4303, Code; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.

216 — Relative to naming Earl G. Underwood Overpass; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.

1903 — To amend Section 40-4001, Code;

2021 — To amend Section 50-1323 (G), Code;

2108 — To create position, Criminal Investigator, Second Judicial Circuit;

2186 — To regulate child foster care;

2289 — To amend Section 49-605, Code;

2311 — To amend Sections 48-512 thru 48-515, Code;

2346 — To amend Section 62-230, Code;

2401 — To amend Section 49-5002, Code;

2416 — To create North West Tennessee Railroad Authority; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1591, 1655, 1657, 1691, 1694, 1824, 1975 and 2217; also, House Joint Resolutions Nos. 392, 397, 398, 401, 409, 412 and 435; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Burnett (Fentress), the House adjourned until 3:00 p.m. tomorrow.